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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICIAL

In Re Application of:
Hunter et al.

Serial No.: 09/487,978

Filed: **January 20, 2000**

Title: **MUSIC DISTRIBUTION SYSTEM
 AND ASSOCIATED ANTIPIRACY
 PROTECTIONS**

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Group Art Unit: 3621

Examiner: **ELISCA, Pierre E.**

Atty. Docket #: 05001.1050 (WT-5)

I hereby certify that this paper is being transmitted by facsimile to the United States Patent Office on the date indicated below.



Signature Gregory Scott Smith, Reg. No. 40,819
 Date of Deposit: July 6, 2004

**RESPONSE TO OFFICE ACTION,
 REQUEST FOR 3 MONTH EXTENSION OF TIME**

Assistant Commissioner of Patents
 Washington, D.C. 20231

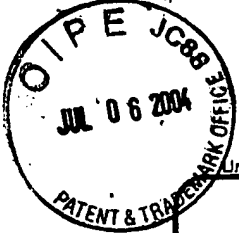
Sir:

Applicant submits the following response to the Official Action mailed by the United States Patent Office on January 6, 2004. The pending claims are numbered 3, 5-15, 17-24 and 26-51. In the Official Action, the Office has allowed claim 40 and rejected claims 3, 5-15, 17-24, 26-39 and 41-51.

07/08/2004 AWONDAF1 00000025 09487978

01-FC-2253

-475.00 DP



PTO/SB/17 (10-03)
Approved for use through 07/31/2008. OMB 0851-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 475.00)

Complete if Known

Application Number 09/487,978
Filing Date January 20, 2000
First Named Inventor HUNTER, Charles Eric
Examiner Name ELISCA, Pierre E.
Art Unit 3621
Attorney Docket No. 05001.1050 (WT-5)

METHOD OF PAYMENT (check all that apply)

☐ Check ☒ Credit card ☐ Money Order ☐ Other ☐ None
☐ Deposit Account:
Deposit Account Number
Deposit Account Name

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments
☒ Charge any additional fee(s) or any underpayment of fee(s)
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 0.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims Extra Claims Fee from below Fee Paid
Independent Claims - 20** = X
Multiple Dependent Claims - 3** = X

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 88	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 88	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 475.00)

SUBMITTED BY

Name (Print/Type)	Gregory Scott Smith	Registration No. (Attorney/Agent)	40,819	Telephone	770.804.9070
Signature		Date	July 6, 2004		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FACSIMILE TRANSMITTAL**MAIL STOP : NON-FEE AMENDMENT****FROM : Gregory S. Smith****EXAMINER : ELISCA, Pierre E.****Faxing DATE: July 6, 2004****FACSIMILE : (703) 872-9306****LAVA GROUP FILE #: 05001.1050****SUBJECT: Application Serial No 09/487,978 filed January, 20, 2000****This Transmission Includes the Following Items**

	Item being transmitted	Pages
<input checked="" type="checkbox"/>	Response to Official Action Mailed on January 6, 2004	6
<input checked="" type="checkbox"/>	Petition for Three Month Extension of Time	2
<input checked="" type="checkbox"/>	Fee Transmittal for FY 2004	1
<input checked="" type="checkbox"/>	Credit Card Authorization form PTO-2038	1
	Total Pages Including Cover Sheet	10

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